



# FARMERS DAY 2016

## VENDOR AND VISITOR RULES AND REGULATIONS

### **Festival Area:**

The official “Festival Area” for Farmers Day is as defined:

- North Main Street from Church Street (Hwy 152) to South Main Street at Patterson Street with a 200’ buffer on Main Street/Patterson Street.
- West side of Main Street 200 ft. buffer (Franklin Street parallel to Main Street)
- East side of Main Street 200 ft. buffer (Harris Street parallel to Main Street)

### **Vendor Registration:**

1. Vendors planning to participate in the Farmer’s Day Festival must complete the appropriate application which can be found on the Town of China Grove website ([www.chinagrovec.gov](http://www.chinagrovec.gov)) or by contacting the Town of China Grove for a vendor registration packet.
2. All first-time vendor applications must be accompanied by a photograph or detailed description of booth setup and items to be sold.
3. Applications and photos must be received by the Town of China Grove no later than June 30, 2016.
4. A participant’s official acceptance letter and registration packet will be sent no later than the first week of July.
5. Vendors are accepted on a first-come, first-served basis.
6. Effective Immediately: ALL Vendors must supply the Town of China Grove with the business North Carolina Sales Tax Certification Number supplied by the NC Department of Revenue. If a business is exempt, proof of exemption must be supplied. See below for more details.

### **Booth Space:**

1. Booth spaces are 10’x10’. Additional spaces may be rented. Additional spaces may be used only with the permission of the Farmer’s Day Committee before the festival begins. Such requests MUST be specifically expressed on the festival application and accompanied by additional booth fee.
2. Booth renters must identify their booth with a professional-looking sign displaying the vendor’s name and products being sold.

3. Booth assignments will be made in advance. Assigned spaces will be clearly marked and provided to booth renters before the start of the festival. No booth or display shall obstruct a fire hydrant or free space provided around such hydrants.
4. All vendors are responsible for keeping the area around their booths clean throughout the festival. A trash bag will be provided for vendor use.
5. Vendors are allowed to sell or hand out their items in their assigned booth space ONLY.
6. Vendors are responsible for:
  - ✓ Providing safe and secure booth structures and equipment (e.g. tables, chairs, displays, etc.)
  - ✓ Adequate weather protection and overnight security for their products
  - ✓ Loading and unloading products and equipment
  - ✓ Complying with Health Department Regulations (Attached)
  - ✓ Complying with NCDOR Sales Tax Laws & Regulations (N. C. Gen. Stat. § 66-255)
  - ✓ Abiding by Festival Rules

**Products:**

1. The Farmer's Day Committee and the Town of China Grove reserves the right to prohibit the sale of certain products or distribution of materials based on consideration of its acceptability to the general public. All vendors must be very specific about the products they intent to sell or display.
2. To prevent oversaturation of products a limited number of booths are available for certain products. Vendors will be accepted depending on the uniqueness of the product being sold.
3. Only one independent sales consultant for companies such as Pampered Chef, Tupperware, Scentsy, Home Interiors, etc. will be accepted.
4. Participants may sell products not included in their original application only with prior permission from the festival committee. Absolutely NO food may be sold without advance notification and appropriate permit from the Rowan County Health Department.
5. Vendors who continue to sell products after being advised against it by the festival committee will be asked to leave the festival. Please be sure to completely identify the products you intend to sell or display in advance to avoid misunderstandings and/or controversy during the festival.
6. There shall be no sale of professionally manufactured items without prior approval from the festival committee. All items must be homemade and not commercially produced and resold, with the exception of independent sales consultants.

7. There will be absolutely NO tolerance for offensive or inappropriate items or conduct.

**Food Sales:**

1. No food may be sold without advance notification and the appropriate permit from the Rowan County Health Department.
2. The Town of China Grove does not issue food and health permits. All food vendors must contact the Rowan County Health Department at 1811 East Innes Street, Salisbury, NC 28146 or by telephone at (704) 216-8777.
3. Permits must be sent to the Town of China Grove no later than June 30, 2016 (either by vendor or notification from Rowan County Health Department). Failure to acquire and provide the necessary permits by the date specified above may disqualify you as a festival participant.
4. All food products are expected to be prepared in a clean, sanitary and professional manner.
5. Food vendors are required by the Rowan County Health Department to provide covered trashcans located in front of their booths.
6. The festival committee wants to avoid excess duplication of food products. Food vendors must identify the full menu they intend to sell during the festival to assist us in this process.
7. Disposal of waste and byproducts is the responsibility of the vendor. Absolutely NO oils, greases, liquids, trash or other waste products may be emptied into the streets or town provided containers. VENDORS ARE RESPONSIBLE FOR DISPOSING OF THEIR OWN WASTE IN AN APPROPRIATE MANNER.
8. ALL FOOD VENDORS MUST ADHERE TO THE FARMER'S DAY FESTIVAL RULES AND REMAIN IN COMPLIANCE WITH THE ROWAN COUNTY HEALTH DEPARTMENT REQUIREMENTS FOR TEMPORARY FOOD ESTABLISHMENTS.

**Electricity:**

1. The festival area is not equipped with unlimited electricity. Vendors must be specific as to their needs when completing the application.
2. The festival committee will make every effort to provide for the electrical needs of all vendors, provided that such needs are presented in the registration application in advance.
3. Food vendors must comply with the Rowan County Health Department regulations and be equipped with a fire extinguisher.
4. All vendors are required to supply their own electrical extension cords. 10 or 12 gauge, 100' cords are recommended.

5. All vendors are required to secure their own electrical cords to the ground with duct tape, NO EXCEPTIONS.

**Vehicles:**

1. Vehicles will be allowed within the festival areas before the festival begins and after closing to facilitate in loading and unloading of equipment and sale items.
2. Vehicles will NOT be allowed within the festival areas during the festival. Vendors who need to drive into or around town during festival hours must ensure their vehicle is parked outside the boundaries of the festival areas before the festival begins. Parking areas for vendors will be provided and you will be directed to those locations after unloading. (All information pertaining to registration will be provided upon acceptance of application.)
3. Participants are NOT allowed to sell from their vehicles.
4. There will be a location off-site for overnight parking of vehicles. Lodging information available upon acceptance of application.

**Setup Time:**

1. If at all possible, please plan to arrive the Friday evening before Farmer's Day with plans to stay throughout the event. If you choose to leave your site, please be prepared to provide overnight security for your products or equipment. As backup security, the China Grove Police Department will be on patrol for the evening and throughout the festival events; however, the CGPD, Town of China Grove or any other agency or person affiliated with Farmers Day, are not responsible for the security or theft of your personal belongings, sale items or equipment.
2. Food vendors with trailers MUST plan to set up on Friday before Farmer's Day. NO EXCEPTIONS. This information will be provided in your registration packet upon acceptance of application.
3. Set up specifications will be sent to every accepted vendor upon the acceptance of their application. Please refer to your registration packet for more detailed information.
4. Any vendor who closes early or shuts down completely during festival hours without prior notification through your vendor application may not be invited back to participate in Farmers Day festivities. If a vendor chooses to close their booth early, they must carry their own products and equipment out of the festival areas. Vehicles will NOT be allowed in the festival areas during festival hours. Festival hours and requirements for set up and shut down will be given in your registration packet.

**Water:**

1. Accommodations for water MUST be specified in the vendor application. Water will only be supplied to those that request it in advance.

**General:**

1. Participants will not remove, alter or otherwise damage the Town of China Grove streets, fixtures, signs or other property owned by the Town of China Grove during the conduct of their business.
2. The use of bullhorns, air horns, microphone & speaker, or any other amplification or noise-making device is prohibited during the Festival, with the exception of contracted entertainment and sound & stage crews in designated areas.
3. Any person or group wishing to handout materials or provide information to the public must register with the Town of China Grove for a booth within the Festival area. No person or group will be allowed inside the Festival area to approach visitors with material (verbal, printed or otherwise) unless they are registered with the Town of China Grove.
4. Anyone who uses obscene language or gestures or incites an unlawful act, including but not limited to fights or riots, shall be removed from the event and Law Enforcement will take necessary measures.
5. Failure to comply with all of the above or otherwise stated festival rules is a serious violation. Participants who do not comply may be asked to leave and they may not be invited back to participate in future festivals.
6. Vendors who encounter problems during the festival should direct their questions to the festival committee or public official.
7. The Town of China Grove prohibits animals during the Farmer's Day festival except for "working dogs". Please advise the festival committee prior to the festival if you have special circumstances that require the presence of an animal during the festival.
8. Questions in advance to the festival may be directed to the Farmer's Day Committee by calling (704) 857-2466.
9. There is NO RAIN DATE for Farmer's Day. Vendors and the Farmer's Day Committee take equal risks with the weather.
10. There will be NO refunds for entry fees after your application is accepted.

**Sales Tax Requirements:**

ALL vendors are required to provide proof of registration with the NC Department of Revenue by way of Sales Tax Certification Number. This information must accompany the business name and updated address information included on the Vendor Application. If your business is exempt, please provide proof. Below is information from the NCDOR website. Please contact them for further information.

NCDOR 1-877-308-9103 [www.dornc.com](http://www.dornc.com)

**Specialty Markets, Flea Markets, Fairs, Festivals, Sporting Events, Entertainment Events, and Other Events Sales and Use Tax Information and Requirements:**

"A person engaged in business in this State and selling tangible personal property, and certain digital property at retail, or rendering a taxable service at specialty markets, flea markets, fairs, festivals, sporting events, entertainment events, and other events and functions must register with the North Carolina Department of Revenue and is required to collect and remit sales and use tax unless a specific exemption applies to the product sold. The general State rate of tax is 4.75% and the applicable local and transit rates of sales and use tax vary depending on the local jurisdiction where a sale is sourced. The sale of "food" at retail as defined in G.S. 105-164.3, is subject to the 2% rate of tax. The sale of prepared food is subject to general State rate of tax of 4.75% and the applicable local and transit rates of sales and use tax as applicable.

In order to obtain a Certificate of Registration, a person must complete Form NC-BR, Business Registration Application for Income Tax Withholding, Sales and Use Tax, and Machinery and Equipment Tax, available through online registration from the Department's website at <http://www.dornc.com/electronic/registration/index.html> or complete a web-fill version of the form at [http://www.dornc.com/downloads/fillin/NCBR\\_webfill.pdf](http://www.dornc.com/downloads/fillin/NCBR_webfill.pdf) and mail it to the Department. No fee is required in order to apply for a Certificate of Registration. A person that makes sales at a specialty market or other event is required to conspicuously display a Certificate of Registration or display a confirmation from the Department showing application for a Certificate of Registration until the certificate is received from the Department.

A person that attends a single event or function in this State within a calendar year for the purposes of making sales at retail is required to register to obtain a Certificate of Registration. A person who engages in business for six or fewer consecutive months in this State each year may register as a seasonal filer and indicate the months in which the person engages in business. A person registered as a seasonal filer is not required to file a return for an off-season reporting period in which the person did not engage in business in this State.

A farmer that only sells farm products produced by the farmer is not required to obtain a Certificate of Registration. A farmer that purchases products for resale that are not produced by the farmer in the capacity of a producer is required to obtain a Certificate of Registration.

**Responsibilities of the Specialty Market or Event Operator:**

Effective August 23, 2013, N. C. Gen. Stat. § 66-255 states, in part, "[a] specialty market operator or operator of an event where space is provided to a vendor must maintain a daily registration list of all specialty market or other vendors selling or offering goods for sale at the specialty market or other event. The registration list must clearly and legibly show each vendor's name, permanent address, and certificate of registration number. The specialty market operator or other event operator must require each vendor to exhibit a valid certificate of registration for visual inspection by the specialty market operator or other event operator at the time of registration except as noted below, and must require each vendor to keep the certificate of registration conspicuously and prominently displayed, so as to be visible for inspection by patrons of the vendor at the places or locations at which the goods are offered for sale."